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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

June 26, 2014

Karl J. Ohland
P. O. Box 530482
Debary, Florida 32713

Subject: Land Ownership, American Sands Energy Corporation, Bruin Point Mine, M/007/0040, Carbon County, Utah

Dear Mr. Ohland:

I was asked to respond to your letter dated June 10, 2014, addressed to John Baza, Director of the Division of Oil, Gas and Mining (Division).

On March 4, 2014, the Division received a proposal from Green River Resources, Inc., to conduct mining operations in portions of Sections 2, 3, and 10, Township 14 South, Range 14 East, SLBM. The Division has been told the Helene E. Richards Trust owns 10 percent of the mineral and 10 percent of the surface interest in a 640-acre portion of Section 3 and 10.

The Division has noted your concerns and those of another property owner in this area, but the regulatory requirements for property rights under the Utah Mined Land Reclamation Act are limited. For this reason, the Division suggests that you consider retaining an attorney to represent your interests on property rights issues.

The requirement for a Notice of Intention to Commence Large Mining Operations (Notice) is that it include "[t]he name, permanent mailing address, and telephone number of the surface landowner(s) and mineral owner(s) of all lands to be affected by the operations" (rule R647-4-104.1). The Utah Mined Land Reclamation Act (Act) contains similar language: "The notice of intention referred to in Subsection (1)(a) shall include: (i) identification of all owners of any interest in a mineral deposit, including any ownership interest in surface land affected by the notice;" (UCA 40-8-13 (1) (b)). The Division anticipates this information will be provided.

For your reference, the Act is available on the Internet at <http://www.le.utah.gov/UtahCode/section.jsp?code=40-8>, and the associated rules are at <http://www.rules.utah.gov/publicat/code/r647/r647.htm>.

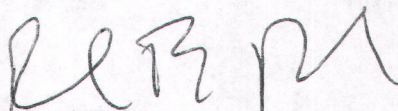
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The Division will issue tentative approval after reviewing the application and finding it complete. This procedure is found in rule R647-4-116.1 (2): "A copy of the abbreviated information and tentative decision shall also be mailed by the Division to the zoning authority of the county or counties in which the land affected is situated **and to the owner or owners of record of the land affected**, as described in the notice of intention" (emphasis added). "Any person or agency aggrieved by the tentative decision may file a written protest with the Division, during the public comment period identified in the notice, setting forth factual reasons for the complaint" (R647-4-116.2).

All of the Division's public documents are available on its web site at <http://linux1.ogm.utah.gov/WebStuff/wwwroot/minerals/mineralsfilesbypermitinfo.php>. Mines are listed alphabetically on this page, and you would search for Bruin Point, permit number M/007/0040. When accessing a document, please use the user name and password "ogmquest."

Please let me know if you have further questions. I can be reached by telephone at 801-538-5261 or by e mail at paulbaker@utah.gov.

Sincerely,



Paul Baker
Minerals Mining Manager
Minerals Regulatory Program

PBB: eb

Cc: John Baza
Steve Alder
Kass Wallin

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